

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

RICHARD MARSHALL,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 2:06-cv-701-ID-CSC
)
CHRIS WEST, in his individual capacity,)
LASHUN HUTSON, in his individual)
capacity)
)
Defendants.)

REPORT OF PARTIES' PLANNING MEETING

Come now the parties Plaintiff Richard Marshall and Defendants Chris West and Chris Hutson and hereby submit this report of the parties' planning meeting.

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Federal Rules of Civil Procedure 26(f), a meeting was held by telephone on May 31, 2007, and was attended by the following represented parties:

- A. Jay Lewis for Plaintiff; and
- B. Daryl L. Masters and Gary L. Willford, Jr. for Defendants.

2. **Pre-Discovery Disclosures.** The parties will exchange the information required by F.R.C.P. 26(a)(1) within **21 days from the date of the Uniform Scheduling Order issued by the court to govern this case.**

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

- a. Discovery will be needed on the following subjects:
 - (1) All information pertaining to Plaintiff's claims and damages.
 - (2) All information pertaining to Defendants' defenses.
- b. All discovery commenced in time to be completed by March 10, 2008.

c. There will be a maximum of 25 interrogatories by each party. The responses will be due 30 days after service.

d. There will be a maximum of 25 requests for production of documents by each party. The responses will be due 30 days after service.

e. There will be a maximum of 25 requests for admission by each party. Responses will be due 30 days after service.

f. The parties agree that no more than 10 depositions may be taken by a party without leave of the court or agreement of the parties. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.

g. Reports from retained experts under Rule 26(a)(2) will be due from Plaintiff by November 5, 2007, and from Defendants by December 5, 2007.

h. Supplementation of the disclosures under Rule 26(e) will be due within 30 days before the end of the discovery period.

4. **Other items.**

a. **Scheduling Conference**

The parties do not request a conference with the court before entry of the scheduling order.

b. **Pretrial Conference**

The parties request a pretrial conference in May, 2008.

a. **Additional Parties, Claims and Defenses**

The parties must join additional parties and amend the pleadings by September 3, 2007.

b. **Dispositive Motions**

All potentially dispositive motions should be filed no later than 90 days before the pretrial hearing.

c. **Settlement**

Settlement and the possibility of mediation cannot be evaluated until some discovery is complete.

d. **Trial Evidence**

The final list of witnesses and trial evidence under Rule 26(a)(3) should be due April 14, 2008. The parties should have 14 days after service to list objections under Rule 26(a)(3).

e. **Trial Date**

This case should be ready for trial by June 23, 2008, and at this time is expected to take approximately 5 days of trial time.

Respectfully submitted this the 12th day of June, 2007

s/Jay Lewis

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